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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/579,531
Applicant : Tomantschger
Filed : May 26, 2000
TC/A.U. : 1742
Examiner : S. Ip
Docket No. : TOMA3002/JDB
Customer No. : 23364

Confirmation No.: 7649

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22202-3514

Sir:

This is in response to the Office Action dated January 20, 2004, the period for response to which is set to expire on April 20, 2004.

The only rejection which remains in the application is the rejection of claims 1, 3-5, 10, 12-16, 18-20, 22-24, 29, and 31-35 under the judicially created doctrine of obviousness-double patenting as being unpatentable over claims 1-39 of co-pending application number 09/991,702.

In response to this rejection, applicant submits herewith a terminal disclaimer to overcome this rejection.

The examiner acknowledges the previous terminal disclaimer filed on October 15, 2003. The previous disclaimer was filed to overcome an obviousness type double patenting rejection with respect to patent application no. 09/412,610. Upon further review of the previously filed terminal disclaimer, it has come to applicant's attention that the previously filed terminal disclaimer failed to take into consideration the fact that a terminal disclaimer was also filed in application no. 09/412,610. Accordingly, the present terminal disclaimer adds

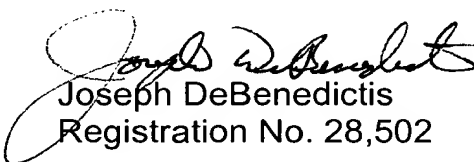
Serial No. 09/579,531

appropriate language which takes into consideration the fact that a terminal disclaimer has been filed in the '610 application.

In view of the terminal disclaimer submitted herewith, it is clear that the application is now in condition for allowance. Accordingly, applicant respectfully requests reconsideration and allowance of all the claims which are currently pending in the application.

Date: April 19, 2004

Respectfully submitted,
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